

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: August 16, 2006

Division: Growth Management

Bulk Item: Yes ☐ No ☒

Department: Planning and Environmental Res.

Staff Contact Person: Ty Symroski

AGENDA ITEM WORDING:

MONROE COUNTY PLANNING DEPARTMENT is requesting a Future Land Use Map Amendment from Recreation (R) and Airport District (AD) to Public Facilities (PF) for property legally described as Part SE ¼ of NW ¼ of Section 7, Township 59S, Range 41E, Ocean Reef, Monroe County, Florida, having Real Estate Numbers: 00081720.000000 and 00081720.000200.

(first of two public hearings)

ITEM BACKGROUND:

This is a Planning Department-sponsored amendment. The Development Review Committee held a public hearing on this matter on April 11, 2006 and recommended approval of the amendment. The Planning Commission held a public hearing on this matter on June 28, 2006 and recommended approval of the amendment.

PREVIOUS RELEVANT BOCC ACTION: In 1995, a Land Use Designation change was approved from Sparsely Settled (SS) to Industrial (I).

CONTRACT/AGREEMENT CHANGES: N/A

STAFF RECOMMENDATIONS: Approval

TOTAL COST: N/A

BUDGETED: Yes ☐ No ☐

COST TO COUNTY: N/A

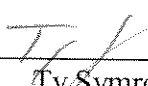
SOURCE OF FUNDS: _____

REVENUE PRODUCING: Yes ☐ No ☐

AMOUNT PER MONTH _____ **Year** _____

APPROVED BY: County Atty ☒ OMB/Purchasing _____ Risk Management _____

DIVISION DIRECTOR APPROVAL:

 8/1/2-6
Ty Symroski

DOCUMENTATION: Included ☒ Not Required ☐

DISPOSITION: _____

AGENDA ITEM # _____

**MONROE COUNTY YEAR 2010
COMPREHENSIVE PLAN AMENDMENT
FUTURE LAND USE MAP AMENDMENT FROM
RECREATION (R) AND AIRPORT DISTRICT (AD)
TO MIXED USE COMMERCIAL (MC)**

**BOARD OF COUNTY COMMISSIONERS
KEY LARGO
AUGUST 16, 2006**

PROPOSED FUTURE LAND USE MAP AMENDMENT

**RECREATION (R) AND AIRPORT DISTRICT (AD)
TO MIXED USE/COMMERCIAL (MC)**

**A REQUEST BY THE MONROE COUNTY PLANNING DEPARTMENT FOR A
FUTURE LAND USE MAP (FLUM) AMENDMENT FROM RECREATION (R)
AND AIRPORT DISTRICT (AD) TO PUBLIC FACILITIES (PF) FOR
PROPERTY LEGALLY DESCRIBED AS PART SE ¼ OF NW ¼ OF SECTION
7, TOWNSHIP 59S, RANGE 41E, OCEAN REEF, MONROE COUNTY,
FLORIDA, HAVING REAL ESTATE NUMBERS: 00081720.000000 AND
00081720.000200.**

RECOMMENDATIONS

DRC:	April 11, 2006
PC:	June 28, 2006

BOCC TRANSMITTAL RESOLUTION

RESOLUTION NO. -2006

A RESOLUTION BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS **TRANSMITTING** TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS THE REQUEST BY THE MONROE COUNTY PLANNING AND ENVIRONMENTAL RESOURCES DEPARTMENT TO AMEND THE FUTURE LAND USE MAP (FLUM) OF THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN FOR THE FOLLOWING PROPERTIES FROM RECREATION (R) AND AIRPORT DISTRICT (AD) TO PUBLIC FACILITIES (PF). THE PROPERTIES ARE PHYSICALLY LOCATED IN OCEAN REEF CLUB SOUTH OF THE BARRACUDA GOLF COURSE, EAST OF THE DOLPHIN GOLF COURSE AND ABUTTING THE AIRPORT RUNWAY TO THE EAST. THE PROPERTIES ARE LEGALLY DESCRIBED AS PART OF GOVERNMENT LOT 4, AND PART OF THE SE ¼ OF THE NW ¼ OF THE PLAT OF LANDS OF SEABOARD PROPERTIES INC., SECTION 7, TOWNSHIP 59S, RANGE 41E, OCEAN REEF, KEY LARGO, MONROE COUNTY, FL. THE REAL ESTATE NUMBERS ARE 00081720.000000, AND 00081720.000200.

WHEREAS the Monroe County Board of County Commissioners makes the following findings of fact:

1. The Development Review Committee held a meeting on April 11, 2006 and recommended to the Planning Commission that they approve the proposed Future Land Use Map Amendments.
2. The Planning Commission acting as the Local Planning Agency held a duly advertised public hearing on June 28, 2006 and made a recommendation to the Board of County Commissioners that they approve the proposed Future Land Use Map Amendments.
3. The Monroe County Board of County Commissioners held a public hearing for the purpose of considering the transmittal to the Florida Department of Community Affairs for review and comment of a proposed amendment to the Future Land Use Map of the Monroe County Year 2010 Comprehensive Plan, changing the future land use designation of the properties described above.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, THAT:

Section 1. The Board of County Commissioners does hereby adopt the recommendations of the Planning Commission pursuant to the draft ordinance for adoption of the proposed Future Land Use Map amendment.

Section 2. The Board of County Commissioners does hereby transmit the proposed amendment to the Florida Department of Community Affairs for review and comment in accordance with the provisions of Chapter 163.3184, Florida Statutes.

Section 3. The Monroe County staff is given authority to prepare and submit the required transmittal letter and supporting documents for the proposed amendment in accordance with the requirements of 9J-11.006 of the Florida Administrative Code; and

Section 4. The Clerk of the Board is hereby directed to forward a certified copy of this resolution to the Director of Planning.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting held on the 16th day of August, 2006.

Mayor Charles "Sonny" McCoy
Mayor Pro Tem Dixie Spehar
Commissioner George Neugent
Commissioner _____
Commissioner Glenn Patton

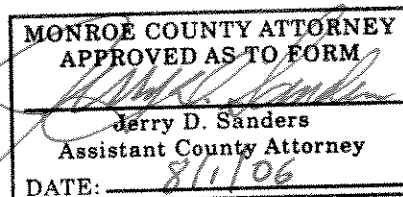
BOARD OF COUNTY COMMISSIONERS OF
MONROE COUNTY, FLORIDA

BY _____
Mayor Charles "Sonny" McCoy

(Seal)

ATTEST: DANNY L. KOLHAGE, CLERK

Deputy Clerk



**BOCC ORDINANCE TO AMEND
THE FUTURE LAND USE DISTRICT MAP (FLUM)**



ORDINANCE NO.:

A ORDINANCE BY THE MONROE COUNTRY BOARD OF COUNTY COMMISSIONERS **APPROVING** THE REQUEST FILED BY MONROE COUNTY PLANNING TO AMEND THE FUTURE LAND USE MAP OF THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN FROM RECREATION (R) AND AIRPORT DISTRICT (AD) TO PUBLIC FACILITIES (PF) FOR PROPERTY LEGALLY DESCRIBED AS PART SE ¼ OF NW ¼ OF SECTION 7, TOWNSHIP 59S, RANGE 41E, OCEAN REEF, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBERS: 00081720.000000 AND 00081720.000200.

WHEREAS, the Monroe County Board of County Commissioners, during a regular meeting held on August 16, 2006 conducted a review and consideration of the request filed by Monroe County Planning to amend the Future Land Use Map (FLUM) from Recreation (R) and Airport District (AD) to Public Facilities (PF) for property legally described as Part SE ¼ of NW ¼ of Section 7, Township 59S, Range 41E, Ocean Reef, Monroe County, Florida, having Real Estate Numbers: 00081720.000000 and 00081720.000200 ; and

WHEREAS, the Monroe County Planning Commission, during a regular meeting held on June 28, 2006 conducted a review of these same requests and recommended approval to the Board of County Commissioners; and

WHEREAS, the Monroe County Development Review Committee, during a regular meeting held on April 11, 2006 conducted a review and consideration of these same requests and recommended approval to the Planning Commission; and

WHEREAS, the Board of County Commissioners examined the staff report prepared by Julianne Thomas, planner on July 27, 2006; and

WHEREAS, the Board of County Commissioners makes the following **Findings of Fact**:

1. **Section 9.5-511 (d)(5)b** of the Monroe County Code (MCC) allows the Board of County Commissioners to consider adopting an ordinance to enact map changes under six listed conditions.
2. In accordance with **Section 9.5-511 (d) (5) (b)**:
 - (ii.) **Changed assumptions:**

ORC is a gated, private community committed to meeting the commercial and communication needs of its residents on site. As such, areas identified for

commercial development need to have the appropriate FLUM to allow commercial development.

(iii.) Data Errors

There was an error made when the parcel was designated as SS instead of I in 1986.

(iv.) New issues

The current FLUM designation does not recognize or permit the existing uses. In order to allow these critical functions to continue, the FLUM needs to be updated to recognize the intended and existing use.

(v.) Recognition of a need for additional detail or comprehensiveness:

Staff recognized that parcels had changed their land use designations without the corresponding FLUM also being changed. Staff believes it is in the best interest for Monroe County as well as landowners to have a FLUM designation consistent with intended and existing use.

3. The subject property was zoned GU prior to 1986.
4. The subject property was assigned zoning of Sparsely Settled (SS) in 1986.
5. The subject property was subsequently assigned a land use designation of Industrial (I).
6. The Future Land Use Map of the Monroe County Year 2010 Comprehensive Plan, which took effect on January 4, 1996, followed the land use district boundary and designated a future land use category of Recreation (R) for the SS parcel.
7. The FLUM was not changed when the land use designation was changed.
8. The appropriate FLUM for the subject property is Public Facilities (PF).
9. **Section 9.5-511** prohibits any map amendments that would negatively impact community character. No negative impacts were identified.
10. **Objective 101.11** states that Monroe County shall ensure that at the time a development permit is issued, adequate public facilities are available to serve the development at the adopted level of service standards concurrent with the impacts of such development.
11. The **2005 Public Facilities Capacity Assessment Report** and the listed programs for stormwater and wastewater indicate that there are no significant concerns.

WHEREAS, the Board of County Commissioners makes the following **Conclusions of Law:**

1. This map amendment meets criteria (ii), (iii), (iv), and (v) outlined in Section 9.5-511 of the Monroe County Land Development Regulations.
2. This map amendment will not result in a negative impact or alter the character of the properties or the immediate vicinity.
3. Based on the Findings of Facts presented, the proposed Future Land Use Map designation is appropriate for this property and will allow the owners to make full use of the subject property.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA THAT:

Section 1. The Board specifically adopts the findings of fact and conclusions of law stated above.

Section 2. The Future Land Use Map of the Monroe County Year 2010 Comprehensive Plan shall be amended as shown in on the attached map, hereby incorporated by reference and attached as Exhibit 1.

Section 3. If any section, subsection, sentence, clause, item, change or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. This ordinance shall be filed in the Office of the Secretary of State of the State of Florida but shall not become effective until a notice is issued by the Department of Community Affairs or Administration Commission approving the ordinance.

Section 5. This ordinance is hereby transmitted by the Planning Department to the Department of Community Affairs for review and comment pursuant to Chapter 163, Florida.

Section 6. The Monroe County Staff is authorized to prepare and submit the required transmittal letter and supporting documents for the proposed amendment in accordance with the requirements of 9J-11.011 of the Florida Administrative Code.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida at a regular meeting held on the _____ day of _____ 2007.

Mayor Charles "Sonny" McCoy _____
Mayor Pro Tem, Dixie Spehar _____
Commissioner George Neugent _____
Commissioner _____ _____
Commissioner Glenn Patton _____

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

BY _____
Mayor Charles "Sonny" McCoy

(SEAL)

ATTEST: DANNY L. KOLHAGE, CLERK

DEPUTY CLERK

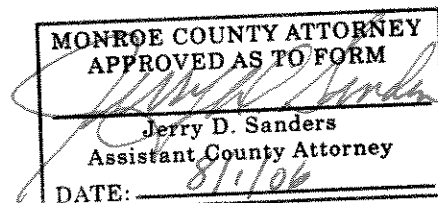
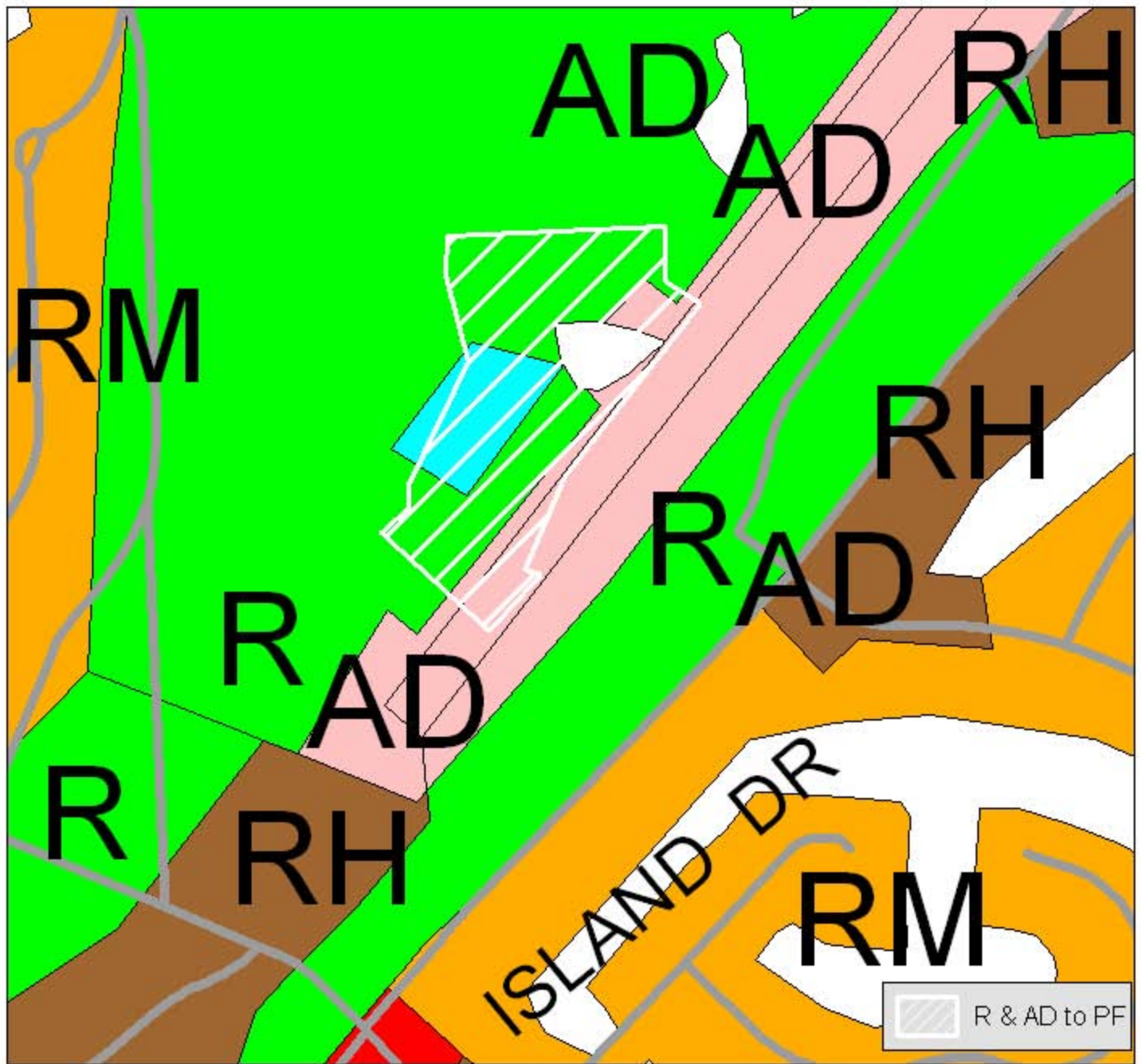


EXHIBIT 1: FUTURE LAND USE MAPS



**The Monroe County Year 2010 Comprehensive Plan
Future Land Use Map is proposed to be amended as
indicated above and briefly described as:**

Key: Key Largo

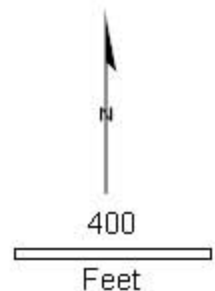
Mile Marker: Ocean Reef Club

Proposal: Change Future Land Use Map Designation from
Recreation (R) and Airport District (AD) to Public Facilities (PF)

Property Description: RE 00081720.000000, 00081720.000200

Map Amendment:

Land Use District Map #: 55





Proposed Future Land Use Map Amendment: Aerial Map

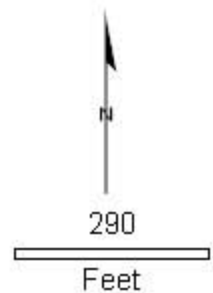
Key: Key Largo

Mile Marker: Ocean Reef Club

Proposal: Change Future Land Use Map Designation from Recreation (R) and Airport District (AD) to Public Facilities (PF)

Property Description: RE 00081720.000000, 00081720.000200

Map Amendment:



Land Use District Map #: 55



Proposed Future Land Use Map Amendment: Street Map

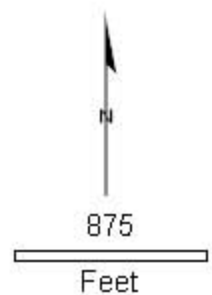
Key: Key Largo

Mile Marker: Ocean Reef Club

Proposal: Change Future Land Use Map Designation from
Recreation (R) and Airport District (AD) to Public Facilities (PF)

Property Description: RE 00081720.000000, 00081720.000200

Map Amendment:



Land Use District Map #: 55



PLANNING COMMISSION RESOLUTION NO.:

A RESOLUTION BY THE MONROE COUNTRY PLANNING COMMISSION RECOMMENDING APPROVAL TO THE BOARD OF COUNTY COMMISSIONERS OF THE REQUEST FILED BY MONROE COUNTY PLANNING TO AMEND THE FUTURE LAND USE MAP OF THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN FROM RECREATION (R) AND AIRPORT DISTRICT (AD) TO PUBLIC FACILITIES (PF) FOR PROPERTY LEGALLY DESCRIBED AS PART SE ¼ OF NW ¼ OF SECTION 7, TOWNSHIP 59S, RANGE 41E, OCEAN REEF, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBERS: 00081720.000000 AND 00081720.000200

WHEREAS, the Monroe County Planning Commission, during a regular meeting held on June 28, 2006 conducted a review and consideration of the request filed by Monroe County Planning to amend the Future Land Use Map (FLUM) from Recreation (R) and Airport District (AD) to Public Facilities (PF) for property legally described as Part SE ¼ of NW ¼ of Section 7, Township 59S, Range 41E, Ocean Reef, Monroe County, Florida, having Real Estate Numbers: 00081720.000000 and 00081720.000200 ; and

WHEREAS, the Monroe County Development Review Committee, during a regular meeting held on April 11, 2006 conducted a review and consideration of the request filed by Monroe County Planning to amend the Future Land Use Map (FLUM) from Recreation (R) and Airport District (AD) to Public Facilities (PF) for property legally described as Part SE ¼ of NW ¼ of Section 7, Township 59S, Range 41E, Ocean Reef, Monroe County, Florida, having Real Estate Numbers: 00081720.000000 and 00081720.000200 and recommended approval to the Planning Commission; and

WHEREAS, the Planning Commission examined the staff report prepared by Julianne Thomas, planner on June 21, 2006; and

WHEREAS, the Planning Commission made the following **Findings of Fact**:

1. **Section 9.5-511 (d)(5)b** of the Monroe County Code (MCC) allows the Board of County Commissioners to consider adopting an ordinance to enact map changes under six listed conditions.
2. In accordance with **Section 9.5-511 (d) (5) (b):**
 - (ii.) **Changed assumptions:**

ORC is a gated, private community committed to meeting the commercial and communication needs of its residents on site. As such, areas identified for commercial development need to have the appropriate FLUM to allow commercial development.

(iii.) Data Errors

There was an error made when the parcel was designated as SS instead of I in 1986.

(iv.) New issues

The current FLUM designation does not recognize or permit the existing uses. In order to allow these critical functions to continue, the FLUM needs to be updated to recognize the intended and existing use.

(v.) Recognition of a need for additional detail or comprehensiveness:

Staff recognized that parcels had changed their land use designations without the corresponding FLUM also being changed. Staff believes it is in the best interest for Monroe County as well as landowners to have a FLUM designation consistent with intended and existing use.

3. The subject property was zoned GU prior to 1986.
4. The subject property was assigned zoning of Sparsely Settled (SS) in 1986.
5. The subject property was subsequently assigned a land use designation of Industrial (I).
6. The Future Land Use Map of the Monroe County Year 2010 Comprehensive Plan, which took effect on January 4, 1996, followed the land use district boundary and designated a future land use category of Recreation (R) for the SS parcel.
7. The FLUM was not changed when the land use designation was changed.
8. The appropriate FLUM for the subject property is Public Facilities (PF).
9. **Section 9.5-511** prohibits any map amendments that would negatively impact community character. No negative impacts were identified.
10. **Objective 101.11** states that Monroe County shall ensure that at the time a development permit is issued, adequate public facilities are available to serve the development at the adopted level of service standards concurrent with the impacts of such development.
11. The **2005 Public Facilities Capacity Assessment Report** and the listed programs for stormwater and wastewater indicate that there are no significant concerns.

WHEREAS, the Planning Commission made the following **Conclusions of**

Law:

1. This map amendment meets criteria (ii), (iii), (iv), and (v) outlined in Section 9.5-511 of the Monroe County Land Development Regulations.
2. This map amendment will not result in a negative impact or alter the character of the properties or the immediate vicinity.

3. Based on the Findings of Facts presented, the proposed Future Land Use Map designation is appropriate for this property and will allow the owners to make full use of the subject property.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF MONROE COUNTY, FLORIDA, to recommend **APPROVAL** to the Monroe County Board of County Commissioners of the request filed by Monroe County Planning to amend the Future Land Use Map (FLUM) from Recreation (R) and Airport District (AD) to Public Facilities (PF) for property legally described as Part SE ¼ of NW ¼ of Section 7, Township 59S, Range 41E, Ocean Reef, Monroe County, Florida, having Real Estate Numbers: 00081720.000000 and 00081720.000200.

PASSED AND ADOPTED by the Planning Commission of Monroe County, Florida, at a regular meeting held on the 28th day of June 2006.

Chair James D. Cameron	<u>YES</u>
Commissioner Sherry Popham	<u>YES</u>
Commissioner Randy D. Wall	<u>YES</u>
Commissioner Michelle Cates-Deal	<u>YES</u>
Commissioner Donna Windle	<u>YES</u>

PLANNING COMMISSION OF MONROE COUNTY, FLORIDA

By _____
James D. Cameron, Chair

Signed this _____ day of _____, 2006

DEVELOPMENT REVIEW COMMITTEE RESOLUTION



DEVELOPMENT REVIEW COMMITTEE

A RESOLUTION BY THE MONROE COUNTRY DEVELOPMENT REVIEW COMMITTEE RECOMMENDING APPROVAL TO THE PLANNING COMMISSION OF THE REQUEST FILED BY MONROE COUNTY PLANNING TO AMEND THE FUTURE LAND USE MAP OF THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN FROM RECREATION (R) AND AIRPORT DISTRICT (AD) TO PUBLIC FACILITIES (PF) FOR PROPERTY LEGALLY DESCRIBED AS PART SE ¼ OF NW ¼ OF SECTION 7, TOWNSHIP 59S, RANGE 41E, OCEAN REEF, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBERS: 00081720.000000 AND 00081720.000200.

WHEREAS, the Monroe County Development Review Committee, during a regular meeting held on April 11, 2006 conducted a review and consideration of the request filed by Monroe County Planning to amend the Future Land Use Map (FLUM) from Recreation (R) and Airport District (AD) to Public Facilities (PF) for property legally described as Part SE ¼ of NW ¼ of Section 7, Township 59S, Range 41E, Ocean Reef, Monroe County, Florida, having Real Estate Numbers: 00081720.000000 and 00081720.000200; and

WHEREAS, the Development Review Committee examined the staff report prepared by Julianne Thomas, planner on March 31, 2006; and

WHEREAS, the Development Review Committee made the following **Findings of Fact**:

1. **Section 9.5-511 (d)(5)b** of the Monroe County Code (MCC) allows the Board of County Commissioners to consider adopting an ordinance to enact map changes under six listed conditions.
2. In accordance with **Section 9.5-511 (d) (5) (b)**:
 - (ii.) **Changed assumptions:**

ORC is a gated, private community committed to meeting the commercial and communication needs of its residents on site. As such, areas identified for commercial development need to have the appropriate FLUM to allow commercial development.
 - (iii.) **Data Errors**

There was an error made when the parcel was designated as SS instead of I in 1986.

(iv.) New issues

The current FLUM designation does not recognize or permit the existing uses. In order to allow these critical functions to continue, the FLUM needs to be updated to recognize the intended and existing use.

(v.) Recognition of a need for additional detail or comprehensiveness:

Staff recognized that parcels had changed their land use designations without the corresponding FLUM also being changed. Staff believes it is in the best interest for Monroe County as well as landowners to have a FLUM designation consistent with intended and existing use.

3. The subject property was zoned GU prior to 1986.
4. The subject property was assigned zoning of Sparsely Settled (SS) in 1986.
5. The subject property was subsequently assigned a land use designation of Industrial (I).
6. The Future Land Use Map of the Monroe County Year 2010 Comprehensive Plan, which took effect on January 4, 1996, followed the land use district boundary and designated a future land use category of Recreation (R) for the SS parcel.
7. The FLUM was not changed when the land use designation was changed.
8. The appropriate FLUM for the subject property is Public Facilities (PF).
9. **Section 9.5-511** prohibits any map amendments that would negatively impact community character. No negative impacts were identified.
10. **Objective 101.11** states that Monroe County shall ensure that at the time a development permit is issued, adequate public facilities are available to serve the development at the adopted level of service standards concurrent with the impacts of such development.
11. The **2005 Public Facilities Capacity Assessment Report** and the listed programs for stormwater and wastewater indicate that there are no significant concerns.

WHEREAS, the Development Review Committee made the following
Conclusions of Law:

1. This map amendment meets criteria (ii), (iii), (iv), and (v) outlined in Section 9.5-511 of the Monroe County Land Development Regulations.
2. This map amendment will not result in a negative impact or alter the character of the properties or the immediate vicinity.
3. Based on the Findings of Facts presented, the proposed Future Land Use Map designation is appropriate for this property and will allow the owners to make full use of the subject property.

NOW THEREFORE, BE IT RESOLVED BY THE DEVELOPMENT REVIEW COMMITTEE OF MONROE COUNTY, FLORIDA, to recommend **APPROVAL** to the Monroe County Planning Commission of the request filed by Monroe County Planning to amend the Future Land Use Map (FLUM) from Recreation (R) and Airport District (AD) to Public Facilities (PF) for property legally described as

Part SE ¼ of NW ¼ of Section 7, Township 59S, Range 41E, Ocean Reef, Monroe County, Florida, having Real Estate Numbers: 00081720.000000 and 00081720.000200.

PASSED AND ADOPTED by the Development Review Committee of Monroe County at a regular meeting held on the 11th day of April, 2006.

Heather Beckmann, Sr. Planner	<u>YES</u>
Ralph Gouldy, Sr. Administrator of Environmental Resources	<u>YES</u>
Clarence Feagin, Sr. Planner	<u>YES</u>
Julianne Thomas, Planner	<u>YES</u>
Department of Health (by FAX)	<u>YES</u>
Department of Public Works (by FAX)	<u>YES</u>
Department of Engineering (by FAX)	<u>YES</u>

DEVELOPMENT REVIEW COMMITTEE OF
MONROE COUNTY, FLORIDA

By _____
Heather Beckmann, DRC Chair

Signed this _____ day of _____, 2006

STAFF REPORT

Memorandum

To: Board of County Commissioners

From: Julianne Thomas, Planner

Alex Score, Biologist

Date: July 27, 2006

Re: Request for Future Land Use Map Amendment

MEETING DATE: August 16, 2006

RE NUMBER: 00081720.000200

EXISTING FUTURE LAND USE MAP DESIGNATION: Recreation (R)

PROPOSED FUTURE LAND USE MAP DESIGNATION: Public Facilities (PF)

EXISTING ZONING DESIGNATION: Industrial (I)

PROPOSED ZONING DESIGNATION: Industrial (I)

PROPERTY OWNER: Card Sound Golf Club Inc.

AGENT: None.

PROPERTY INFORMATION

Key: Key Largo **Mile Marker:** Ocean Reef

Size of Parcel: 22,090.23 S.F. or 0.5 acres

RE NUMBER: 00081720.000000

EXISTING FUTURE LAND USE MAP DESIGNATION: Recreation (R) & Airport District (AD)

PROPOSED FUTURE LAND USE MAP DESIGNATION: Public Facilities (PF)

EXISTING ZONING DESIGNATION: Industrial (I)

PROPOSED ZONING DESIGNATION: Industrial (I)

PROPERTY OWNER: Ocean Reef Acquisition Corp.

AGENT: None.

PROPERTY INFORMATION

Key: Key Largo **Mile Marker:** Ocean Reef

Size of Parcel: 1,105,086 S.F. or 25.36 acres; 6.72 acres proposed to be rezoned

Location Detail & Brief Description:

The property is located on Key Largo in Ocean Reef. This property is south of the Barracuda Golf Course, east of the Dolphin Golf Course and abutting the airport runway to the east. The property is legally described as part of Government Lot 4, and part of the SE ¼ of the NW ¼ of the Plat of Lands of Seaboard Properties, Inc., Section 7, Township 59 South, Range 41 East, Ocean Reef, Key Largo, Monroe County, Florida, having real estate number: 00081720.000000 and 00081720.000200.

Existing Use:

The property is currently occupied by a variety of industrial uses. Among the uses are three concrete water tanks, a reverse osmosis water treatment plant and provides water for landscaping and the golf courses, and a sewage treatment plant that serves the Ocean Reef community. In addition, there are five single story frame buildings used for storage and workshops. Part of the parcel is occupied by a warehouse building to service golf carts.

Existing Habitat:

The property is disturbed with sparsely scattered native and exotic plants.

Land Use and Habitat on the 1985 Existing Conditions Aerials:

The 1985 existing conditions aerials classify this property as Utilities.

Neighboring Land Uses and Character:

The surrounding properties are a variety of uses. Most of the parcels contain golf course or open space. The airport runway is to the East, and to the South are a variety of commercial buildings and uses.

ZONING AND LAND USE HISTORY**Pre – 1986 Zoning:**

The subject property was zoned GU prior to 1986. This designation was for a general use district with the purpose of establishing an interim land classification pending action to rezone the property for another use.

Considerations during 1986 comprehensive plan process:

During the 1986 revisions to the Monroe County Land Development Regulations and land use designations (Ordinance 33-1986 dated February 28, 1986), the subject property was re-designated as Sparsely Settled (SS) with Future Land Use Map (FLUM) designations of Recreation (R) and Airport District (AD). Staff does not know why the original land use designation and FLUM designations did not correspond.

Consideration during the 2010 comprehensive plan Process:

During the ensuing Comprehensive Plan process which culminated in the adoption of the Monroe County Year 2010 Comprehensive Plan in 1996, efforts were made to eliminate inconsistencies between the existing Land Development Regulations and the newly formulated Comprehensive Plan and to apply FLUM's consistent with the land use district designations. The property was given a FLUM designation of R which was inconsistent with original SS land use district designation.

Map changes or boundary considerations since 1986:

These parcels were changed from SS to I under a development agreement with Ocean Reef but the FLUM was not changed at the same time. Staff is seeking this change to make the FLUM consistent with the Land Use Designation and the land use.

ANALYSIS AND RATIONAL FOR CHANGE (Pursuant to Section 9.5-511 (d) (5) b.)

(i.) Changed projections:

None.

(ii.) Changed assumptions:

The neighboring properties also have the FLUM Public Facilities (PF) with the same land use designation of Industrial (I). There is not a land use designation that (zoning) directly corresponds with Public Facilities, however the current uses of the property are public facilities.

(iii.) Data errors:

An error was made when this parcel was originally designation Sparsely Settled (SS) instead of Industrial (I). The FLUM correction should have been made when the LUD was corrected.

(iv.) New issues:

Staff became aware that the FLUM was not changed for several areas in Ocean Reef that had zone changes. Staff would like to remove these inconsistencies and allow full development of these parcels.

(v.) Recognition of a need for additional detail or comprehensiveness:

The current zoning of I properly reflects the uses which occupy the parcel. In order for these critical uses to continue, the FLUM needs to be changed to be consistent with this zoning. This is the best place for these facilities as it is isolated away from residential uses.

(vi.) Data updates:

None.

IMPACT AND POLICY ANALYSIS

Comparison of development potential for the Current and Proposed Land Uses:

1. Current Land development regulations (LDR's)

The property has a current FLUM designation of Recreation (R) and Airport District (AD) which is inconsistent with the I land use district map designation.

Policy 101.4.9

The principal purpose of the Recreation land use category is to provide for public and private activity-based and resource-based recreational facilities.

Policy 101.4.16

The principal purpose of the Airport District land use category is to prohibit the development of residential, educational or other uses which are characterized by the regular presence of large numbers of people within the hazard areas of civil and military airports.

2. Potential Land Uses with Proposed Map Amendment

Staff is requesting a future land use map amendment from Recreation (R) and Airport District (AD) to Public Facilities (PF).

Policy 101.4.13

The principal purpose of the Public Facilities land use category is to provide for land owned by public utilities and service providers.

Compatibility with adjacent land uses and effects on community character:*Density and Intensity*

Changing the FLUM to be consistent with the current land use designation will not increase the allowed density on the site. The appropriate FLUM will, however, allow the existing uses to continue and expand if needed.

Use Compatibility

The proposed FLUM will not have an adverse effect on the surrounding areas. The surrounding areas are golf course, airport, or open space. These parcels are isolated from the residential areas. These uses have existed for over 20 years without any incompatibility recognized.

Effects on Natural Resources Goal 102

Goal 102 of the Year 2010 Comprehensive Plan states that Monroe County shall direct future growth to lands which are intrinsically most suitable for development and shall encourage conservation and protection of environmentally sensitive lands. Future development would be required to comply with all Monroe County Code, State and Federal environmental regulations.

The Land use designation and FLUM change will allow the parcel to be developed to its fullest potential and minimize the need to build or clear environmentally sensitive lands to provide services to the community.

Effects on Public Facilities: Objective 101.11

Monroe County shall implement measures to direct future growth away from environmentally sensitive land and towards established development areas served by existing public facilities. The proposed FLUM amendments will allow the existing public facilities area in Ocean Reef to continue to serve the community.

Local Traffic, Parking, and Traffic Circulation

The subject property is located in Ocean Reef, a gated community with limited access to non-members. Much of the travel within Ocean Reef is conducted using golf carts and staff has no evidence that there will be any local traffic, parking or traffic circulation issues created.

Effects on Public Facilities

ORC provides many of its own services in terms and anticipates no problem continuing to meet the community needs if this amendment is approved and enacted.

FINDINGS OF FACT AND CONCLUSIONS OF LAW:

1. **Section 9.5-511 (d)(5)b** of the Monroe County Code (MCC) allows the Board of County Commissioners to consider adopting an ordinance to enact map changes under six listed conditions.
2. In accordance with **Section 9.5-511 (d) (5) (b):**
 - (ii.) **Changed assumptions:**

The proposed FLUM matches the neighboring properties FLUM of Public Facilities (PF) and the land use designation of Industrial (I). There is not a land use designation that

(zoning) directly corresponds with Public Facilities, however the current uses of the property are public facilities.

(iii.) Data Errors

There was an error made when the parcel was designated as SS instead of I in 1986.

(iv.) New issues

The current FLUM designation does not recognize or permit the existing uses. In order to allow these critical functions to continue, the FLUM needs to be updated to recognize the intended and existing use.

(v.) Recognition of a need for additional detail or comprehensiveness:

Staff recognized that parcels had changed their land use designations without the corresponding FLUM also being changed. Staff believes it is in the best interest for Monroe County as well as landowners to have a FLUM designation consistent with intended and existing use.

3. The subject property was zoned GU prior to 1986.
4. The subject property was assigned zoning of Sparsely Settled (SS) in 1986.
5. The subject property was subsequently assigned a land use designation of Industrial (I).
6. The Future Land Use Map of the Monroe County Year 2010 Comprehensive Plan, which took effect on January 4, 1996, followed the land use district boundary and designated future land use categories of Recreation (R) and Airport District (AD) for the SS parcel.
7. The FLUM was not changed when the land use designation was changed.
8. The appropriate FLUM for the subject property is Public Facilities (PF).
9. **Section 9.5-511** prohibits any map amendments that would negatively impact community character. No negative impacts were identified.
10. **Objective 101.11** states that Monroe County shall ensure that at the time a development permit is issued, adequate public facilities are available to serve the development at the adopted level of service standards concurrent with the impacts of such development.
11. The **2005 Public Facilities Capacity Assessment Report** and the listed programs for stormwater and wastewater indicate that there are no significant concerns.

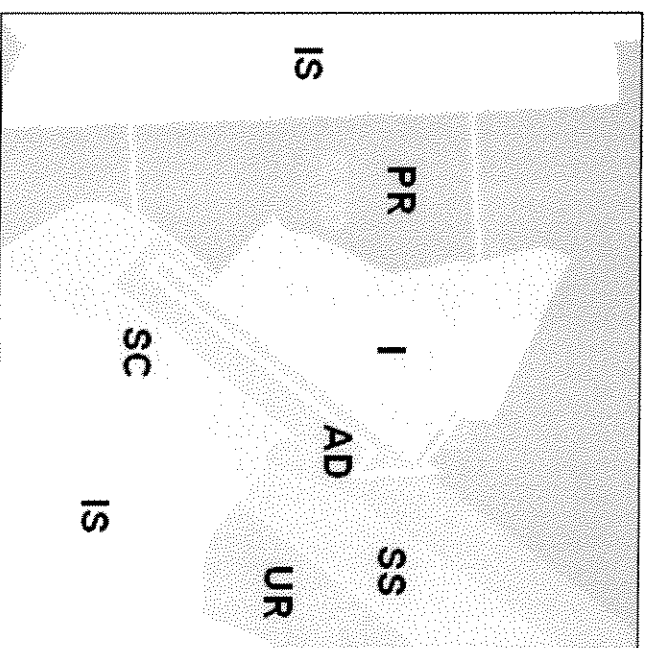
CONCLUSIONS OF LAW:

1. This map amendment meets criteria (ii), (iii), (iv), and (v) outlined in Section 9.5-511 of the Monroe County Land Development Regulations.
2. This map amendment will not result in a negative impact or alter the character of the properties or the immediate vicinity.
3. Based on the Findings of Facts presented, the proposed Future Land Use Map designation is appropriate for this property and will allow the owners to make full use of the subject property.

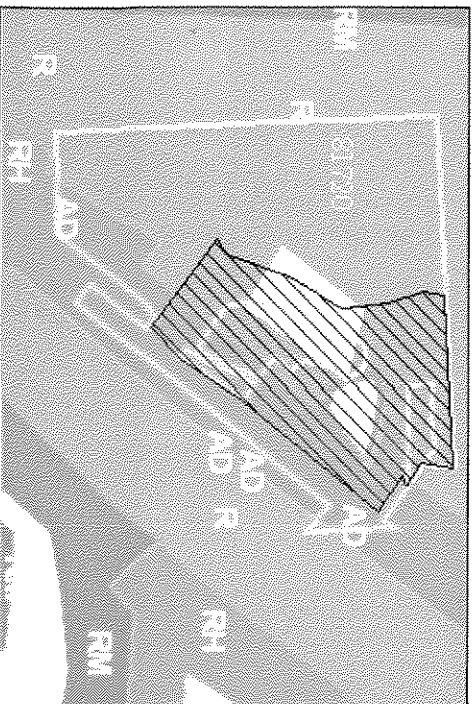
RECOMMENDATION:

Based on the above Findings of Fact and Conclusions of Law, staff recommends **APPROVAL** to the Board of County Commissioners for the proposed Future Land Use Map amendment from Recreation (R) & Airport District (AD) to Public Facilities (PF) for RE# 00081720.000000 and RE# 00081720.000200.

Ocean Reef Map 4



The land use designation map is not changing.



The future land use map is changing. The hatched area is changing from Recreation (R) and Airport District (AD) to Public Facilities (PF).